



Graves Garrett LLC

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August 7, 2023

Via CM/ECF Filing Only

The Hon. James O. Browning
United States District Judge
United States District Court for the
District of New Mexico
United States District Court
Pete V. Domenici United States Courthouse
333 Lomas Blvd NW, Suite 660
Albuquerque, New Mexico 87102

**Re: Status of Proceedings Before the United States Court of Appeals for the
Tenth Circuit in *Voter Reference Foundation, LLC vs. Torrez, et. al*, No. 22-2101**

Dear Judge Browning:

On Friday, August 4, 2023, the United States Court of Appeals for the Tenth Circuit issued the attached order in the Defendants' appeal of the District Court's preliminary injunction order.

Per the Tenth Circuit's order, the appeal is abated until the District Court enters a final judgment in the underlying case. The stay of the preliminary injunction remains in effect while the appeal is abated.

Respectfully,

Edward D. Greim
Counsel for Plaintiff

Cc: Jeff Herrera, Assistant Attorney General (by CM/ECF)
Mark Allen, Assistant Attorney General (by CM/ECF)

Law, who is the state
of the case?
8/8/23

File on CM/ECF
8/8/23

8/8/23

UNITED STATES COURT OF APPEALS

FILED
United States Court of Appeals
Tenth Circuit

FOR THE TENTH CIRCUIT

August 4, 2023

Christopher M. Wolpert
Clerk of Court

VOTER REFERENCE FOUNDATION,
LLC,

Plaintiff - Appellee,

v.

RAUL TORREZ, in his official capacity as
New Mexico Attorney General, et al.,

Defendants - Appellants.

No. 22-2101
(D.C. No. 1:22-CV-00222-JB-KK)
(D. N.M.)

ORDER

This matter is before the court on the supplemental briefing filed by the parties in response to the court's July 26, 2023 order. Upon careful consideration, this matter is **ABATED** until the district court enters final judgment in the underlying case.

This court's stay of the preliminary injunction at issue in this appeal remains in effect while this matter is abated. The September 19, 2023 oral argument in this matter is **VACATED**, and all counsel are excused from attendance.

Within 30 days of the date of this order, and every 30 days thereafter, the parties shall file a joint status report to inform this court of the status of the underlying district court proceedings. Within 5 days of the district court's entry of final judgment in the underlying case, the parties shall file status reports stating whether there are any

issues remining for this court to decide in this appeal.

Entered for the Court,

A handwritten signature in black ink, appearing to read 'C. M. Wolpert', with a long horizontal line extending to the right.

CHRISTOPHER M. WOLPERT, Clerk